

INFORMATION ABOUT YOUR ROLE AS THE IDENTIFIED CLIENT REPRESENTATIVE

You are the identified client representative for:	
CASE RESOURCE MANAGER	TELEPHONE NUMBER

What is a client representative?

State law (RCW) and Division of Developmental Disabilities (DDD) rules (WAC) require that written notice of all decisions affecting DDD eligibility, DDD services, and choice of provider be sent to the DDD client and at least one other person.

This other person is the "client representative". The role of the client representative is voluntary unless he/she has a legal relationship with the client.

What legal responsibilities do I have as the client's representative?

The only representatives that have any legal responsibility for the client are:

- Natural, step, or adoptive parents who have custody of their child/client under the age of 18;
- Court appointed legal guardians for clients of any age.

What are my responsibilities as the identified client representative?

As the designated client representative, you will receive copies of all Planned Action Notices sent to the client.

- You act on behalf of the child under age 18 or assist the adult client of DDD to understand the notice sent to them by DDD.
- You assist the client through the appeal process if the client wants to dispute the decision.

How long do I have this responsibility?

- If you are the natural, step, or adoptive parent of a client under the age of 18, you have legal responsibility until the child's 18th birthday.
- If you are the court appointed legal guardian for a child or adult, you are responsible until the guardianship is terminated.
- If you have no legal relationship with the client, you can stop being the client representative at any time by notifying the client and the client's DDD case/resource manager.

What if the client I am representing does not want me to be his/her representative?

If the client does not want you to be the representative, DDD will identify someone else.

- The client can refuse to agree with the choice of representative only if he/she is age 18 or older and the representative is not a court appointed guardian.
- If you have a legal relationship with the client, you can act on behalf of the client without his/her cooperation.

Will this cost me any money?

There are no costs or fees identified with the role of client representative.

Who do I call to report a new address or telephone number?

You need to call the identified DDD Case/Resource Manager listed at the top of this form to report a change in your mailing status, telephone, or legal status with the client.

How much contact can I expect from DDD?

- DDD will contact you prior to each assessment or review that will result in a decision that has client appeal rights to confirm your mailing address and verify you still agree to be the client representative and understand your role.
- DDD will contact you prior to mailing you a client notice of denial, reduction, or termination of eligibility, service or provider to explain the decision and the client's appeal rights.
- The CRM will attempt to contact you at least twice before mailing the Planned Action Notice.

Who can I call if I have questions about a notice or decision or the appeal process?

Every client Planned Action Notice will include a name and telephone number for you to contact if you have questions.

What can you tell me about the process for appealing a DDD decision?

Every Planned Action Notice gives you information on how and when to file an appeal of the decision.

1. DDD clients have the right to appeal any decision of DDD affecting denial, reduction, or termination of eligibility, service, or choice of provider.
 - The client and their identified representative must receive written notice of all DDD decisions affecting eligibility, level of service, or denial or termination of provider.
 - This notice must provide the effective date of the action, the reason and applicable WAC, appeal rights, and time lines for filing appeals.
2. Client appeals are heard and decided by an Administrative Law Judge (ALJ) through an administrative hearing. This hearing is conducted in a DSHS building or over the telephone. The ALJ presides and it is recorded.
 - Attorney representation is not required but is allowed.
 - The client representative may present their own case or have an attorney.
 - DSHS employees may not represent the client at an administrative hearing.
 - DDD has administrative hearing coordinators who facilitate the process for DDD. Assistant Attorney Generals are available for consultation and sometimes represent DDD.
3. A client or someone else acting on his/her behalf may request an administrative hearing orally or in writing.
4. Each party (client and the department) must present evidence on the issue in dispute. The evidence must be based on Washington Administrative Code (WAC).
5. The ALJ will issue a written decision. This decision must be based on WAC.
 - The ALJ has no authority to disregard existing WAC or change WAC or declare it invalid.
 - The purpose of the hearing is to determine if DDD made the correct decision per department rule.
6. Both parties have a right to appeal the initial decision by the ALJ to the Board of Appeals.
 - The Board of Appeals (BOA) works for DSHS so its decision is the final decision for DSHS/DDD.
 - The client can appeal the BOA decision to Superior Court.

WAC references:

WAC 388-825-100 through 105

WAC 388-825-120 through 165